

ESTTA Tracking number: **ESTTA59726**

Filing date: **12/29/2005**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

| | |
|---------------------------|---|
| Proceeding | 91125615 |
| Party | Plaintiff UNIVERSITY OF SOUTHERN CALIFORNIA |
| Correspondence Address | SCOTT A. EDELMAN GIBSON DUNN & CRUTCHER, LLP 1801 CALIFORNIA STREET, SUITE 4200 DENVER, CO 80202 sedelman@gibsondunn.com; arobertsonbora@gibsondunn.com |
| Submission | Other Motions/Papers |
| Filer's Name | Michael S. Adler, Esq. |
| Filer's e-mail | madler@gibsondunn.com |
| Signature | /michael adler/ |
| Date | 12/29/2005 |
| Attachments | doc stip.pdf (6 pages) |

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

University of Southern California,

Opposer,

v.

University of South Carolina

Applicant.

Opposition No. 125,615

Serial Nos. 75/358,031

Mark: SC (Stylized)

Filed: September 16, 1997

Published: January 11, 2000

Stipulation Regarding Documents

Opposer University of Southern California ("California") and University of South Carolina ("Carolina") (collectively "Parties") agree and stipulate that for the purposes of this action, the following documents are authentic and may be admitted into evidence by means of a notice of reliance. The Parties further agree and stipulate that for the purposes of this action these documents shall be considered as business records and/or ancient documents, and the Parties waive any other hearsay objections to the documents *except* that the Parties retain the right to object to material in such documents that constitutes hearsay within hearsay to the extent that such objections would have been otherwise available.

Documents Produced by Opposer:

1. OPP 00001 - OPP 00433
2. OPP 00435 - OPP 00436
3. OPP 01306 - OPP 01676
4. OPP 01686 - OPP 01730
5. OPP 01736 - OPP 02066
6. OPP 02068 - OPP 02105
7. OPP 02122 - OPP 02213
8. OPP 02214 - OPP 02236

9. OPP 02237 - OPP 02391*
10. OPP 02397 - OPP 02475
11. OPP 02490 - OPP 02500
12. OPP 02501 - OPP 02900
13. OPP 02918 - OPP 04124

Documents Produced by Applicant:

14. APP 0010 - APP 0024
15. APP 0080 - APP 0086
16. APP 0210 - APP 0211
17. APP 0213 - APP 0294
18. APP 0301 - APP 0332
19. APP 0384 - APP 0429
20. APP 0438 - APP 0443
21. APP 0445 - APP 0472
22. APP 0771 - APP 1763
23. APP 1776 - APP 1964
24. APP 2005 - APP 2360
25. APP 2420 - APP 2555
26. APP 2560 - APP 2848
27. APP 2849 - APP 2852
28. APP 2856 - APP 2963
29. APP 2964 - APP 3018

* With the exception of handwritten notes contained in OPP 2387-2391.

30. APP 3019 - APP 3369

Documents Produced by Collegiate Licensing Company

31. CLC 0003 - CLC 0070

32. CLC 0075 - CLC 0079

33. CLC 0081 - CLC 0101

34. CLC 0104 - CLC 0122

35. CLC 0133 - CLC 0253

Exhibits to Depositions and Declarations (not otherwise accounted for above):

36. Depo. Ex. 2

37. Depo. Ex. 3

38. Depo. Ex. 16

39. Depo. Ex. 22

40. Depo. Ex. 23

41. Affidavit of T. Westbrook, Ex. 3

42. Affidavit of T. Westbrook, Ex. 4

43. Affidavit of T. Westbrook, Ex. 5

44. Affidavit of T. Westbrook, Ex. 6

45. Affidavit of T. Westbrook, Ex. 7

46. Affidavit of T. Westbrook, Ex. 8

47. Affidavit of T. Westbrook, Ex. 9

48. Affidavit of T. Westbrook, Ex. 10

49. Affidavit of T. Westbrook, Ex. 11

- 50. Affidavit of T. Westbrook, Ex. 12
- 51. Affidavit of T. Westbrook, Ex. 13
- 52. Affidavit of T. Westbrook, Ex. 14
- 53. Affidavit of T. Westbrook, Ex. 15
- 54. Affidavit of T. Westbrook, Ex. 16
- 55. Affidavit of T. Westbrook, Ex. 17

Other Records:

- 56. WHOIS record for <uscbookstore.com> domain name registration
- 57. WHOIS record for <uscthestore.com> domain name registration
- 58. Entire file history from the USPTO for Serial No. 74/094,681
- 59. Entire file history from the USPTO for Serial No. 76/374,729

The Parties agree and stipulate that for the purposes of this action, the following documents are authentic and may be admitted into evidence by means of a notice of reliance. The Parties further agree and stipulate that for the purposes of this action these documents shall be considered as business records, and the Parties waive any other hearsay objections to the documents.

- 60. APP 01764 - 01802
- 61. APP 01853 - 02555

The Parties agree and stipulate that for the purposes of this action, the following documents are authentic and may, subject to any objections, be admitted into evidence by means of a notice of reliance. The Parties expressly retain any right to object to such documents on any other grounds.


- 62. OPP 1677 - 1685
- 63. OPP 2901 - 2917
- 64. OPP 4125 - 4128

65. OPP 2067

DATED: December 16, 2005

GIBSON, DUNN & CRUTCHER LLP

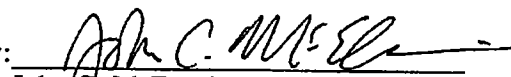
By:


Michael S. Adler

Attorneys for University of Southern California

NELSON MULLINS RILEY & SCARBOROUGH, L.L.P.

By:


John C. McElwaine
Federal Bar No. 6710
Matthew D. Patterson
Federal Bar No. 7788
Liberty Building, Suite 500
151 Meeting Street
Post Office Box 1806 (29402)
Charleston, SC 29401
(843) 853-5200

Attorneys for University of South Carolina

10913301_1.DOC